

REMARKS

This Application has been carefully reviewed in light of the Office Action mailed February 10, 2006. At the time of the Office Action, Claims 6-19 were pending in this Application. Claims 6-19 were rejected. Claims 6, 15, and 19 have been amended to further define various features of Applicant's invention. Claim 20 has been added. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. §103

Claims 6-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,343,549 issued to Shizurou Tokiwa ("Tokiwa") in view of U.S. Patent 5,947,023 issued to Wolfgang Bohrer et al. ("Bohrer et al."). Applicant respectfully traverses and submits the cited art combinations, even if proper, which Applicant does not concede, does not render the claimed embodiment of the invention obvious.

In order to establish a *prima facie* case of obviousness, the references cited by the Examiner must disclose all claimed limitations. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974). Furthermore, according to § 2143 of the Manual of Patent Examining Procedure, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

The independent claims include the limitation of a plurality of drive systems wherein each drive system has an associated control functional unit. This limitation is for example shown in Fig. 1 where three drive systems D1, D2, and D3 and their associated control functional units LF1, LF2, and LF3 are shown. The Examiner stated that Bohrer also discloses control functional units in the form of control units 50 and 52 as seen in Fig. 3. Applicant respectfully disagrees. Bohrer does not disclose for each drive system an associated control functional unit. On the contrary, Bohrer only discloses control functional units 50 which controls all of the drive systems. In other words, the control functional unit

50 or 52 are not associated to a single drive system but rather provide information for all drive systems through a bus connection 42 or 44, respectively.

Tokiwa discloses a master control unit which is coupled with respective slave control units which are assigned to a drive system. The master and slave units are connected through a ring network. Nevertheless, Tokiwa only discloses a single network which couples master and slave units. The present independent claims however include the limitation of two independent networks, one for coupling the control computers and for interconnecting the control functional units of each drive system through a real-time capable connection. The Examiner stated that Tokiwa discloses if one loop fails the other loop can still be used to communicate. Applicant respectfully disagrees. Tokiwa does not disclose two independent loops. Tokiwa clearly discloses only a single loop. A loop merely has the functionality of being able to transmit data despite a single connection failure. However, this still does not provide for the functionality of two independent networks.

A combination of Tokiwa and Bohrer will not lead to the subject matter of the present independent claims. Bohrer merely discloses that each drive is connected via two bus systems with two respective control units. These control units, as stated above, are clearly designated to be master control units and are not associated with a specific drive. Bohrer, Col. 6, lines 30-34. Bohrer does not provide for communication between the drives because Bohrer lacks associated control functional units.

The Examiner stated that the units 50 and 52 read on the limitation “control functional units.” Applicant respectfully disagrees. The claim clearly include the limitation that each drive system comprises an associated control functional unit. Bohrer on the contrary, clearly states that units 50 and 52 are “high level devices.” Bohrer, Col. 6, lines 31-33. Moreover, Bohrer states that the control units 50 and 52 are integrated into the entire information exchange of the machine over another serial bus system. Bohrer, Col. 6, lines 9-14. Thus, at best the units 50 and 52 of Bohrer compare to the claim limitation “control computer linked through a first control network.” However, Bohrer lacks any type of control functional unit associated to each drive system and interconnected by a real-time capable network. A combination of Bohrer and Tokiwa would at best add a second network between the master units of Tokiwa which still leads to a different structure with the master units being coupled through two independent networks. Therefore, Applicant believes that the cited prior art does not render the currently pending independent claims obvious.

Claims 15 and 19 have been amended to further include the limitation that each drive system comprises a plurality of drive regulators arranged in a group which are linked by an associated ring network. Claim 20 has been added to include a similar limitation. This limitation can be seen in the Figure and support in the specification can be found, for example, in paragraph [0013]. None of the prior art discloses this limitation.

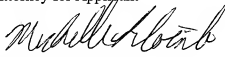
CONCLUSION

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney, Andreas Grubert, at 512.322.2545.

Respectfully submitted,
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